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5 Attorneys for Defendant
6 EMERY WORLDWIDE AIRLINES, INC.

7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 SAN FRANCISCO DIVISION

10 THOMAS RACHFORD, *et al.*,

11 Plaintiffs,

12 vs.

13 AIR LINE PILOTS ASSOCIATION,
14 INTERNATIONAL, *et al.*,

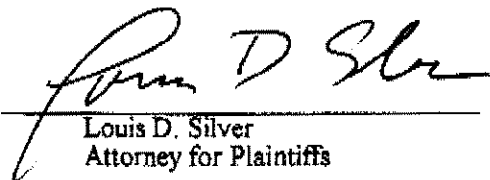
15 Defendants.

Case No.: C03-01103 PJH

STIPULATION AND ORDER OF
DISMISSAL

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17 The parties hereby stipulate that Defendant Emery Worldwide Airlines, Inc., having
18 committed that it will not oppose Plaintiffs' representation by counsel of their choice in any
19 arbitration before the EWA System Board of Adjustment, be dismissed without prejudice from this
20 action pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure.

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23 Dated: October 25, 2005

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25 Louis D. Silver
26 Attorney for Plaintiffs
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28

1 Dated: October 24, 2005



Jeffrey B. Demain
Barbara J. Chisholm
Attorney for Defendant
Air Line Pilots Association, Int'l

6 Dated: October 24, 2005



Michael C. Hallerud
Attorney for Defendant
Emery Worldwide Airlines, Inc.

10 IT IS SO ORDERED:

12 Dated: October 26, 2005



Phyllis J. Hamilton
United States District Judge